

FILED

JAN 19 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MANUEL RAFAEL,

15 Defendant.
16

)
) No. CR 05-0352-DLJ (WDB)
)

) STIPULATION AND ~~PROPOSED~~
) ORDER TO PERMIT DEFENDANT
) TO EXCEED CURFEW ON TWO
) EVENINGS
)
)
)

17 Defendant Manuel Rafael has been sentenced and is scheduled to surrender to the Bureau of
18 Prisons on March 13, 2006, for service of his sentence. In the meantime, he remains under pretrial
19 supervision in the Northern District of California. As a condition of his release, Mr. Rafael has
20 been subject to a curfew that requires him to be home by 10:00 p.m. each night. On January 21
21 and January 28, 2006, Mr. Rafael's family plans to attend evening events at their local Portuguese
22 center (the Flor Du Oakley Hall), sponsored by their church. Mr. Rafael's grandparents, parents,
23 sister, and eldest daughter will all be in attendance, and Mr. Rafael would like to attend with them.

24 The Pretrial Services Agency has been contacted and has no objection to modifying Mr.
25 Rafael's curfew on these two evenings to permit him to stay out at these events with his family
26 until 12:00 midnight on January 21 and January 28, 2006. Therefore, the parties hereby stipulate

STIP RE: CURFEW

1 and agree that Mr. Rafael's terms and conditions of pretrial release should be modified to permit
2 him to exceed his curfew on both of these occasions as stated above.

3
4 SO STIPULATED.

5 Dated: January 18, 2006

/S/

6 MERRY JEAN CHAN
7 Assistant United States Attorney

8 SO STIPULATED.

9 Dated: January 17, 2006

/S/

10 HILARY A. FOX
11 Attorney for Defendant RAFAEL

12
13 ORDER

14 Good cause appearing therefore, and pursuant to the stipulation of the parties, it is the
15 ORDER of this Court that defendant Manuel Rafael, who has been sentenced but currently
16 remains under pre-trial supervision by the Pretrial Services Agency and subject to a curfew, be
17 permitted to exceed his curfew until 12:00 midnight on January 21 and on January 28, 2006, in
18 order to attend events with his family at the Flor Du Oakley Hall.

19 IT IS SO ORDERED.

20 Dated: Jan 19, 2006

21 
22 WAYNE D. BRAZIL
23 United States Magistrate Judge
24 United States District Judge
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